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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FORTRESS CREDIT CORP.,

Plaintiff,

v.

ALARM ONE INC.,

Defendant.

CASE NO.: 07 CIV. 7590 (CM) (RLE)

ECF CASE

**NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE**

Pursuant to Federal Rule of Civil Procedure 41(a)(1), plaintiff Fortress Credit Corp. hereby voluntarily dismisses its claims against defendant Alarm One, Inc. without prejudice. Because defendant has not served an answer or filed a motion for summary judgment in response to Fortress's complaint herein, the voluntary dismissal of this action does not require an order of the Court. Plaintiff states that no court of the United States or of any state previously dismissed any action based on or including the same claims as presented by plaintiff in its complaint herein.

Date: October 10, 2007

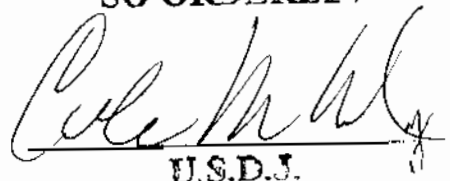
Respectfully submitted,



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SO ORDERED:

  
U.S.D.J.